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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,350	12/07/2001	James D. Thackston	55536.000008	7865

7590 08/09/2004

McGUIRE WOODS LLP
1750 TYSONS BOULEVARD
SUITE 1800
MCLEAN, VA 22102

EXAMINER

RAO, SHEELA S

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,350

Applicant(s)

THACKSTON, JAMES D.

Examiner

Sheela Rao

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27 are presented for examination.
2. Applicant's submission of references on form PTO-1449, paper no. 4, has been considered. A signed copy of the form is attached.

Specification

3. The specification has not been checked to the extent necessary to determine the presence of all possible grammatical and minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

4. The claims are objected for containing grammatical and idiomatic inconsistencies. Examiner appreciates that the Applicant is allowed to be his/her own lexicographer. However, grammatical and idiomatic language in the instant claims present difficulties in the interpretation and reading of the claimed features. Applicant is advised to make necessary corrections.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-3, 7, 10-12, 16, 19-21, and 25 are rejected under 35 U.S.C. 102(a) as being anticipated by Bullen (USPN 6,292,712 B1).

The disclosure of the patented invention by Bullen teaches of an interface system that includes a computer workstation to allow inputs from a user, computer system, and a computer program in a

manufacturing environment. The control system that is presented allows a person, i.e. a tool operator, to easily operate and monitor a machine tool automatically with user-friendly interfaces and controls.

In doing so, Bullen discloses a computer workstation to allow inputs from a user using various input devices. The computer program shares access to and exchanges data with the computer memory. Specifically, the GUI includes a main menu area that allows the user to select a part to be assembled, machined, and/or processed. A series of operation and monitoring menus are included to aid in the machining operations of the parts and for monitoring the system. Upon selection of the part, a submenu requiring operator and part authorization must be completed (col. 2: ll. 28-40), as per claims 1, 10, and 19 of the instant invention. See also col. 6:ll. 13-43. Figures 2, 5E, 10, and 11 of the reference depict the use of the authorization and validation step of the claimed invention. The representation of a three-dimensional and/or two-dimensional figure of the part is shown in Figure 10 of the prior art as per claims 2-3, 11-12, and 20-21. With regard to the limitation of claims 7, 16, and 25 wherein the responsibility of the approval of the correctness of the specifications falls on the user is claimed, Bullen teaches the exchange of operation, control and indication signals being between the robotic device, the software interface, and the operator. Thereby, establishing that the approval of use or operation is between the process and the operator. See col. 6: ll.40-43.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-6, 8-9, 13-15, 17-18, 22-24, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bullen (USPN 6,292,712 B1) in view of Marchak, et al. (USPN 6,138,104).

The teachings of Bullen as they pertain to the instant invention are aforementioned with respect to claims 1, 10, and 19 along with the claims that depend therefrom.

Marchak, et al. teach of a computer based system and method for managing product development. The system automates product development by integrating the definition and specifications of deliverables for creating, assigning, scheduling, completing and distributing of the deliverables. As per the limitations of claims 4-6, 13-15, and 22-24, Bullen fails to teach or fairly suggest the use of a specific validation button used along with a digital signature. Marchak, et al. disclose the inclusion of a signature for identification and authentication of the user's identity. See col. 8: ll. 38-40 and col. 13: ll. 36-43. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the validation signature as taught by Marchak, et al. with the automated manufacturing interface environment of Bullen so as to provide proper identification and accurate authentication of operand fields. The use of a signature to append an operational requirement would allow for ownership of the selected product or task.

With regard to the limitations of claims 8-9, 17-18, and 26-27, wherein the validation of the specification indicates understanding of the design and manufacturing intent is claimed. The reference of prior art to Bullen once again fails to teach or fairly suggest such. However, the patented invention by Marchak, et al. discloses that the selection of the OK button indicates satisfaction of the information submitted. See col. 15: ll. 1-5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the affirmation of the specification along with the understanding of the design and/or manufacture intent when pressing the validation or OK button. The use of the validation as a means of understanding the design and/or manufacture intent would allow for approval and ownership of the selected product.

For the reasons stated above in paragraphs 6 and 8, the limitations of the claimed invention are taught by the prior arts of record; thereby, rendering the instant claims unpatentable.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela Rao whose telephone number is (703) 305-9766. The examiner can normally be reached Tuesday - Thursday from 9:00 am to 3:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard, can be reached on (703) 308-0538.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

or faxed to:

(703) 872-9306 for Official Communications

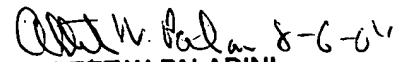
hand-delivered responses should be brought to:

**Receptionist - Sixth Floor
Crystal Park II, 2121 Crystal Drive, Arlington, Virginia**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



Sheela S. Rao
August 5, 2004



**ALBERT W. PALADINI
PRIMARY EXAMINER**